

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>Comcast of Massachusetts III, Inc.</b>	)	<b>Case No.: 1:05-cv-11838-NG</b>
	)	
Plaintiff,	)	<b>PLAINTIFF'S ASSENTED TO MOTION</b>
	)	<b>TO EXTEND TIME TO MOVE FOR</b>
vs.	)	<b>DEFAULT JUDGMENT</b>
	)	
<b>Robert Harris</b>	)	
	)	
Defendant	)	
	)	
	)	

---

**NOW COMES** the Plaintiff in the above-captioned case, Comcast of Massachusetts III, Inc., and it respectfully Moves that this Court the deadline for the Plaintiff to move for Default Judgment to February 15, 2006.

As grounds, the Plaintiff states:

1. Plaintiff's Counsel has been in contact with Attorney William Dailey. Attorney Dailey is representing the interest of the Defendant but he has yet to file an appearance in this Action.
2. Plaintiff's Counsel and Attorney Dailey are in serious, substantive negotiations which could result in an amicable resolution to the Civil Action.
3. The Parties need additional time to pursue certain matters in these negotiations. This additional time is necessary because Attorney Dailey is now on trial and he needs to discuss certain proposals with the Defendant.

---

**Certification pursuant to LR D. Mass 7.1 (A) (2)**

Plaintiff's Counsel certifies that he spoken to Attorney Dailey, who represents the Defendant and he fully assents to this motion. In fact this motion was made at the request of Attorney Dailey.

4. The additional time could save the Parties considerable costs and/or expenses which could help in the ultimate resolution of the matter through negotiations.
5. The Defendant, through his Counsel, Attorney Dailey, assents to this Motion.

In further support of this Motion, see Affidavit of John M. McLaughlin

Respectfully Submitted for the Plaintiff,  
By Its Attorney,

1/25/2006  
Date

/s/ John M. McLaughlin  
John M. McLaughlin  
**Green, Miles, Lipton & Fitz-Gibbon LLP**  
77 Pleasant Street  
P.O. Box 210  
Northampton, MA 01061-0210  
Telephone: (413) 586-0865  
BBO No. 556328

**CERTIFICATE OF SERVICE**

I, John M. McLaughlin, attorney for the Plaintiff, hereby certify that on the 25<sup>th</sup> day of January, 2006, a copy of the foregoing motion and affidavit were sent via electronic mail to

[WDaileyJr@sloanewalsh.com](mailto:WDaileyJr@sloanewalsh.com)

/s/ John M. McLaughlin  
John M. McLaughlin, Esq.

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Comcast of Massachusetts III, Inc.**

Plaintiff,

VS.

# Robert Harris

Defendant

**Case No.: 1:05-cv-11838-NG**

**AFFIDAVIT IN SUPPORT OF  
PLAINTIFF'S ASSENTED TO MOTION  
TO EXTEND TIME TO MOVE FOR  
DEFAULT JUDGMENT**

Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action, and, on oath, states the following:

1. I am Counsel for the Plaintiff in this action.
2. I have recently been in contact with Attorney William Dailey of Boston, Massachusetts. Attorney Dailey has told me that he is representing the interest of the Defendant but he has yet to file an appearance in this Action.
3. Attorney Dailey and I are in serious, substantive negotiations which could result in an amicable resolution to the Civil Action.
4. The Parties need additional time to pursue certain matters in these negotiations.
5. This additional time is necessary because Attorney Dailey is now on trial and he needs to discuss certain proposals with the Defendant.
6. The additional time could save the Parties considerable costs and/or expenses which could help in the ultimate resolution of the matter through negotiations.
7. The Defendant, through his Counsel, Attorney Dailey, assents to this motion; in fact it is at his request that this motion was made

Subscribed and sworn to, under the pains and penalties of perjury.

1/25/06  
Date

/s/ John M. McLaughlin  
John M. McLaughlin (BBO: 556328)